

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JOINT STOCK COMPANY “CHANNEL ONE :
RUSSIA WORLDWIDE,” :
Plaintiff, : 18 Civ. 2318 (LGS)
:
-against- : ORDER
:
RUSSIAN TV COMPANY INC., et al., :
Defendants. :
:
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff Joint Stock Company “Channel One Russia Worldwide” brought this action against Defendants Russian TV Company, Inc., SR Express Consulting Inc. d/b/a Techstudio, Servernaya Inc., ESTIDesign, Inc., and their owner, Steven Rudik, alleging violations of, inter alia, §§ 605(a) and 605(e)(4) of the Federal Communications Act (the “FCA”), 47 U.S.C. §§ 605(a), 605(e)(4). After discovery, the parties agreed to a summary trial of the FCA claims, which Plaintiff agreed would resolve its remaining claims. On September 22, 2021, the Court issued Amended Findings of Fact and Conclusions of Law, determining that Defendants had violated FCA § 605(a). *Joint Stock Co. “Channel One Russia WorldWide” v. Russian TV Co.*, No. 18 Civ. 2318, 2021 WL 4341053, at *8 (S.D.N.Y. Sept. 22, 2021), *reconsideration denied*, No. 18 Civ. 2318, 2021 WL 5233322 (S.D.N.Y. Nov. 9, 2021). Plaintiff’s request for damages, attorneys’ fees and costs and a permanent injunction was then referred to Magistrate Judge Barbara C. Moses.

WHEREAS, on November 18, 2022, Judge Moses issued a Report and Recommendation (the “Report”) recommending that Plaintiff be awarded a total of \$1,149,000 in statutory damages, together with attorneys’ fees and costs to be determined after further proceedings. *Joint Stock Co. “Channel One Russia Worldwide” v. Russian TV Co. Inc.*, No. 18 Civ. 2318, 2022 WL 17490873,

at *9 (S.D.N.Y. Nov. 18, 2022). The Report further recommended that the Court enter a permanent injunction in the form annexed to the Report.

WHEREAS, as stated in the Report, the deadline for any objections was fourteen days from service of the Report.

WHEREAS, no objections were timely filed.

WHEREAS, in reviewing a magistrate judge's report and recommendation, a district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). A district judge is required to "determine de novo any part of the magistrate judge's disposition that has been properly objected to" by any party. Fed. R. Civ. P. 72(b)(3); *accord United States v. Romano*, 794 F.3d 317, 340 (2d Cir. 2015).

WHEREAS, the Court finds no clear error on the face of the record as to Judge Moses's recommendations.

WHEREAS, on December 8, 2022, Defendants filed a pre-motion letter to stay entry of any money judgment in this action until Plaintiff is no longer subject to sanctions pursuant to Executive Order 14024 and the regulations implemented thereunder. On December 16, 2022, Plaintiff filed a letter in opposition. It is hereby

ORDERED that the Report is ADOPTED in full. Plaintiff is awarded damages in the amount of \$1,149,000 and injunctive relief as recommended. Plaintiff is also awarded attorneys' fees and costs to be determined after further proceedings before Judge Moses. It is further

ORDERED that, by **May 4, 2023**, Defendants shall file their motion to stay entry of money judgment in this action. By **May 18, 2023**, Plaintiff shall file any opposition. By **May 25, 2023**, Defendants shall file any reply. The parties shall comply with the Court's Individual Rules in filing their motion and supporting papers.

ORDERED that entry of the money judgment against Defendants is **STAYED** pending the resolution of Defendants' anticipated motion to stay. The permanent injunction shall take effect immediately and will issue separately.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 340.

Dated: April 20, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE